

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARCUS HOLMES,

Petitioner,

VS.

UNITED STATES OF AMERICA,

Respondent.


Case No. CV 06-S-8015-S

ORDER

On April 26, 2007, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. To date, neither petitioner nor respondent have filed objections.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge and, ACCEPTS his recommendations. Accordingly, it is ORDERED, ADJUDGED and DECREED that the Motion to Vacate, Set Aside or Correct Sentence, filed pursuant to 28 U.S.C. § 2255, is due to be, and it hereby is, DENIED, and this action DISMISSED.

DONE this 22nd day of August, 2007.


United States District Judge